

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LIBERTY MUTUAL INSURANCE)	CIVIL ACTION
COMPANY,)	No. 96-10804-DPW
)	
Plaintiff,)	1:04-CV-10969-DPW
)	(Sutton Brook Site)
v.)	
)	
THE BLACK & DECKER)	
CORPORATION, BLACK & DECKER)	
INC., BLACK & DECKER (U.S.))	
INC., EMHART CORPORATION,)	
and EMHART, INC.,)	
)	
Defendants.)	

**PLAINTIFF'S ASSENTED-TO MOTION FOR LEAVE
TO FILE OPPOSITION IN EXCESS OF TWENTY PAGES**

Pursuant to Local Rule 7.1(B)(4), plaintiff, Liberty Mutual Insurance Company ("Liberty Mutual"), hereby moves this Court for an Order granting Liberty Mutual leave to file Liberty Mutual Insurance Company's Opposition to Black & Decker's Motion for Summary Judgment Regarding the Sutton Brook Site, which exceeds twenty pages in length.

As grounds for the instant motion, Liberty Mutual states that a significant number of legal and factual issues must be addressed in the opposition. Liberty Mutual respectfully submits that an opposition exceeding twenty pages in length is necessary in order to provide a full explication of these issues to the Court. The Defendants have assented to this motion.

WHEREFORE, Liberty Mutual respectfully requests that this Court issue an Order granting Liberty Mutual leave to file Liberty Mutual Insurance Company's Opposition to Black & Decker's Motion for Summary Judgment Regarding the Sutton Brook Site, in a form exceeding twenty pages in length.

LIBERTY MUTUAL INSURANCE COMPANY

By its attorneys,

/s/ Ralph T. Lepore III
Ralph T. Lepore III (BBO #294420)
Janice Kelley Rowan (BBO #265520)
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Dated: December 22, 2004

LOCAL RULE 7.1(A)(2) CERTIFICATION

I hereby certify that I conferred with counsel for defendants, Richard Binder, on December 22, 2004, and Mr. Binder assented to the filing of this motion.

/s/ Ralph T. Lepore, III

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of December, 2004, I caused a copy of the foregoing motion to be served by hand upon counsel for defendants, Jack R. Pirozzolo, at Willcox, Pirozzolo and McCarthy, P.C., 50 Federal Street, Boston, MA 02110.

/s/ James M. Tierney

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